

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1193-01
Bill No.: HB 365
Subject: County Officials; Firearms and Fireworks; Law Enforcement Officers and Agencies
Type: Original
Date: February 15, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
General Revenue	\$0 to (\$138,750)	\$0 to (\$142,912)	\$0 to (\$147,199)
Total Estimated Net Effect on General Revenue Fund	\$0 to (\$138,750)	\$0 to (\$142,912)	\$0 to (\$147,199)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of Attorney General** did not respond to Oversight's request for fiscal impact. However, in response to a similar proposal from the current session (SB 157, LR # 0585-01), officials assumed any potential cost associated with certifying Sheriff's costs that are not otherwise offset by the application fee can be absorbed with existing resources.

Officials of the **Office of Administration** did not respond to Oversight's request for fiscal impact. However, in response to a similar proposal from the current session (SB 157, LR # 0585-01), officials stated that there may be no impact to the Office of Administration, however, OA is charged with reimbursing County Sheriffs for expenses related to the concealed weapons legislation if there are not sufficient funds in the County Sheriff's Revolving fund. OA officials assumed the following:

Assuming there is an appropriation, and assuming that equipment and related expenses exceed the fee amounts collected, there is a potential for escalating costs to OA.

Assumption 1: An appropriation is made for this purpose.

Assumption 1B: The Attorney General's Office will certify additional expenses.

BLG:LR:OD (12/02)

ASSUMPTION (continued)

- Assumption 2: Most reasonable and necessary expenses will be covered by the County Sheriff's Revolving Fund.
- Assumption 3: Staff time is the largest component of expense related to the permits.
- Assumption 4: Additional equipment could be costly - law enforcement software, fingerprinting, tracking. Office supplies, postage, phone calls, computers, and storage will be needed.
- Assumption 5: An average staff salary is \$30,000 annually.
- Assumption 6: Three metropolitan counties will average 800 permits per county; 111 other counties will average 150 permits per county.
- Assumption 7: County hours per permit in staff time (at \$15 per hour); additional computers, law enforcement software, and equipment could be required at \$5,000.

Per rural county: \$15 per hour x 5 hours per permit x 150 (# of permits) = \$11,250

Computers/software/office supplies/equipment = \$5,000

Total: \$16,250 expenses; revenue = \$15,000

Per county, additional expenses over revenue: \$1,250 @ 111 counties

Potential additional costs to the state: \$138,750

Oversight assumes that if revenues in the Sheriff's Revolving Fund and the revenues **generated by the maximum fee allowed by law (571.101) are not sufficient to cover cost of conducting the conceal and carry law, the Sheriff could request state assistance** from the Office of Administration. **Oversight will show annual fiscal impact to the Office of Administration (General Revenue Fund), as \$0 to \$138,750.**

Oversight assumes this proposal allows County Sheriffs to use monies in the Sheriff's Revolving Fund for expenses related to the conceal and carry law. Oversight assumes this provision would have no fiscal impact in that it does not create additional monies nor does it mandate an expenditure of funds. This provision provides for another use of existing revenues.

Officials from the **Boone County Sheriff's Office** assume there would be revenue generated and cost, and assume there would be no savings or losses. Officials assume no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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GENERAL REVENUE FUND

<u>Costs</u> – Office of Administration Reimbursing counties for conceal and carry expenses	<u>\$0 to (\$138,750)</u>	<u>\$0 to (\$142,912)</u>	<u>\$0 to (\$147,199)</u>
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ESTIMATED NET EFFECT TO GENERAL REVENUE FUND	<u>\$0 to (\$138,750)</u>	<u>\$0 to (\$142,912)</u>	<u>\$0 to (\$147,199)</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2006 (10 Mo.)	FY 2007	FY 2008
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**COUNTY SHERIFF REVOLVING
FUND**

<u>Income</u> – Reimbursement from Office of Administration	\$0 to \$138,750	\$0 to \$142,912	\$0 to 147,199
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<u>Costs</u> – Unreimbursed cost associated with conceal and carry law	<u>\$0 to (\$138,750)</u>	<u>\$0 to (\$142,912)</u>	<u>\$0 to (147,199)</u>
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ESTIMATED NET EFFECT TO COUNTY SHERIFF REVOLVING FUND	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
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FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

The proposed legislation would repeal the provision in Section 50.535, RSMo, requiring money in a county sheriff's revolving fund to be used only for the purchase of equipment and to provide training for law enforcement officers. County sheriffs would be able to use moneys in the fund to cover the costs associated with the processing of concealed carry endorsements. If the actual expenses in a given year exceed the revenue generated by the statutory maximum application fee of \$100, a sheriff could present specific and verified evidence of the unreimbursed expenses to the Office of Administration. Upon certification by the Attorney General, the Office of Administration would reimburse the sheriff from an appropriation made for that purpose.

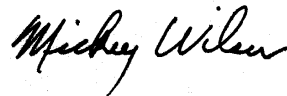
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General
Office of Administration
Boone County Sheriff's Office

NOT RESPONDING

Clark County Sheriff's Office
Greene County Sheriff's Office
Jackson County Sheriff's Office
St. Louis County Police Department



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Director
February 15, 2005